

RESOLUTION NO. 2019-23

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A
WAIVER OF PLAT FOR PROPERTY LOCATED AT 220
ISLAND DRIVE; PROVIDING FOR CONDITIONS;
PROVIDING FOR RECORDING; AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, Delphia Enterprises, N.V, a Netherlands Antilles Corporation (the “Applicant”) has applied for a waiver of plat (“Waiver of Plat”) for the subdivision of property located at 220 Island Drive, which is legally described in Exhibit “A” attached hereto (the “Property”); and

WHEREAS, the Applicant has fulfilled the requirements for a waiver of plat as set forth in Chapter 30 of the Village Code and Section 28-4.1 of the Miami-Dade County Code; and

WHEREAS, the Village Council has held a properly noticed public hearing; and

WHEREAS, the Village Council finds that the proposed Waiver of Plat, with the conditions set forth below, meets the applicable review criteria set forth in Chapter 30 of the Village Code and Sections 28-4 and 28-4.1 of the Miami-Dade County Code; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approval of Waiver of Plat. That the Waiver of Plat attached hereto as Exhibit “B,” is hereby approved with the conditions set forth in Section 3, below.

Section 3. **Conditions.** The approval granted by this Resolution is subject to compliance with the following conditions:

- a) That the Applicant shall provide a ten (10) foot utility easement in the front yard of the Property adjacent to the public right of way;
- b) That the Waiver of Plat approved by this Resolution is not effective until this Resolution is recorded in the Official Records of Miami-Dade County;
- c) That prior to recording this Resolution, the existing house and any other resultant nonconformities are demolished and removed; and.
- d) That prior to recording this Resolution, the Village Manager or designee shall execute a release of the restrictions imposed on the Property pursuant to Section 13 of the Declaration of Restrictions, dated November 13, 1959, under Clerk's file No. 59R-212158 recorded in Official Records of Miami-Dade-County and referenced on the plat recorded at Plat Book 68, Page 81 of the Official Records of Miami-Dade County, on a form approved by the Village Attorney.

Section 4. **Recording.** That this Resolution shall be recorded by the Applicant at its expense in the public records of Miami-Dade County and proof of recordation shall be submitted to the Building, Zoning and Planning Department prior to the issuance of a building permit.

Section 5. **Effective Date.** That this Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this 9th day of April, 2019.


MICHAEL W. DAVEY, MAYOR

ATTEST:


JENNIFER MEDINA, CMC
VILLAGE CLERK




APPROVED AS TO FORM AND LEGAL SUFFICIENCY

VILLAGE ATTORNEY

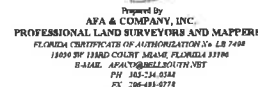
EXHIBIT A

Legal Description

The West 20 feet of Lot 9 and all of Lot 10, and the East 60 feet of Lot 11, in Block 3, of Cape Florida Subdivision Section One, according to the Plat thereof, recorded in Plat Book 68, Page 81, of the Public Records of Miami-Dade County, Florida.

EXHIBIT B

Waiver of Plat



The West 20.00 feet of Lot 9 all of Lot 10 and the East 60.00 feet of Lot 11, Block 3, of: "CAPE FLORIDA SUBDIVISION SECTION 1", according to the Plat Thereof as Recorded in Plat Book 68, Page 81, of the Public Records of Miami-Dade County, Florida.

The West 20.00 feet of Lot 9 all of Lot 10 and the East 60.00 feet of Lot 11, Block 3, of: "CAPE FLORIDA SUBDIVISION SECTION 1", according to the Plat Thereof Recorded in Plat Book 68, Page 81, of the Public Records of Miami-Dade County, Florida

Parkway

160.00

20.30' Asphalt Pavement
W As Per PB 68-81 Miami-Dade Co., FL

Abbreviations of Legend

- [illegible]

ZONING: VE
SINGLE FAMILY ATTACHED UNIT
TOTAL ACREAGE: 20,733

Contact Person Information

Name Sergio Guardazzi
Telephone number 305-669-6281
Fax number 305-668-5014
E-mail adress sguardazzi@gmail.com

Location Sketch 1'-300



GRAPHIC SCALE 1=300 ft.

**PROPERTY ADDRESS:**

220 Island Drive
Key Biscayne, Florida 33149

PARENT TRACT

A portion of the West 20.00 feet of Lot 9 all of Lot 10 and the East 60.00 feet of Lot 11, Block 3, of "CAPE FLORIDA SUBDIVISION SECTION 1", according to the Plat Thereof as Recorded in Plat Book 68, Page 81, of the Public Records of Miami-Dade County, Florida

CUT-OUT PARCEL
LEGAL DESCRIPTION:

PARCEL "A"
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PARCEL "B"

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Folio #: 24-5205-010-0760

OWNER'S INFORMATION:

FG Consulting
5900 SW 73rd St., Suite 301
South Miami, Florida 33143

DEVELOPMENT INFORMATION:

Two Single Family Homes 5/3
Total 4,500 Sq. Ft.
Zoning VE

MIAMI-DADE COUNTY FLOOD CRITERIA :

ELEVATION: 7 00' FEET (NGVD 1929)
MAP: PLAT BOOK 120 AT PAGE 13 SHEET 3
March 1982

ELEVATION INFORMATION

National Flood Insurance Program
FEMA Elev. Reference to NGVD 1929

Comm Panel	120648
Panel #	0491
Firm Zone:	"AE"
Date of Firm:	09-11-2009
Base Flood Elev.	9.00'
F Floor Elev.	7.24'
Garage Elev.	6.54'
Suffix:	"L"

Elev. Reference to NGVD 1929

JOB #	19-239
DATE	03-04-2019
PB	68-81

AFA &
Company, Inc.

**Professional
Surveyors & Mappers LB 7498**
13050 S.W. 133rd Court
Miami Florida, 33186
E-mail: afisco@bellsouth.net
Ph: (305) 234-0588
Fax: (206) 495-0778

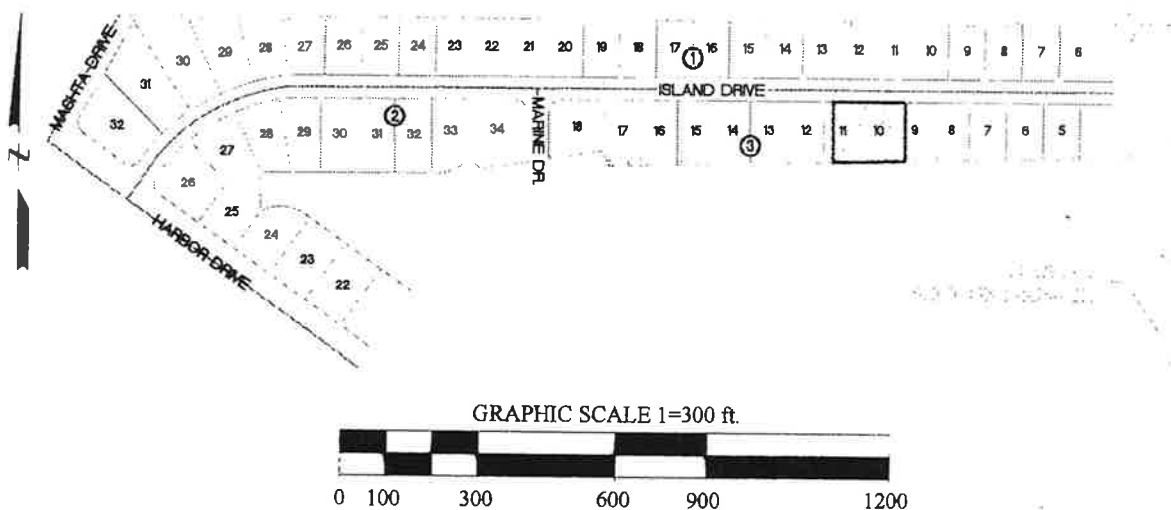
Surveyors Notes:

- [illegible]

This certifies that the survey of the property described herein was made under my supervision and that the survey meets the Standards of Practice set forth by the Florida Board of Professional Land Surveyors. As Mapmaker in Chapter 31-17.032 of Florida Administrative Code, pursuant to Section 472.027, Florida Statutes, and That the Sketch herein is a true and accurate representation thereof to the best of my knowledge and belief, and that is noted and stated on above-captioned return.

Armando F. Abate
Professional Surveyor & Mapper #1024
State of Florida
Not Valid unless Signed & Stamped with Embossed Seal

Location Sketch 1"=300'



PROPERTY ADDRESS:

220 Island Drive
Key Biscayne, Florida 33149

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DEVELOPMENT INFORMATION:

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Total 4,500 Sq. Ft.
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ELEVATION INFORMATION

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FEMA Elev. Reference to NGVD 1929

Comm Panel 120648
Panel # 0491
Firm Zone: "AE"
Date of Firm: 09-11-2009
Base Flood Elev. 9.00'
F.Floor Elev. 7.24'
Garage Elev. 6.54'
Suffix: "L"
Elev. Reference to NGVD 1929



Professional
Surveyors & Mappers LB 7498
13050 S.W. 133rd Court
Miami Florida, 33186
E-mail: afaco@bellsouth.net
Ph: (305) 234-0588
Fax: (206) 495-0778

Surveyors Notes:

- #1 Land Shown Hereon were not abstracted for Easement and/or Right of Way Records. The Easement / Right of Way Show on Survey are as per plat of record unless otherwise noted.
- #2 Benchmark: Miami-Dade County Public Works Dep. BM Loc. 0022 KB; Name: KB-26; Elev. + 6.19'
- #3 Bearings as Shown hereon are Based upon Island Drive, N89°52'45"E
- #4 Please See Abbreviations
- #5 Drawn By: A. Torres
- #6 Date: 02-06-2019
- #7 Completed Survey Field Date: 02-05-2019
- #8 Disc No 2019, Station Surveying Scion
- #9 Last Revised:
- #10 Zoned Building setback line not determined
- #11 the herein captioned Property was surveyed and described based on the Legal Description Provided by Client.
- #12 This Certification is Only for the lands as Described. it is not a certification of Title, Zoning, Easements, or Freedom of encumbrances. ABSTRACT NOT REVIEWED.
- #13 There may be additional Restrictions not Shown on this survey that may be found in the Public Records of Said County Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- #14 Accuracy:
The expected use of land, as classified in the Standards of Practice (51-17.052), is residential. the minimum relative distance accuracy for this type of boundary survey is 1.0 foot in 10,000.00' feet, the accuracy obtained by measurement and calculation of a closed geometric figure was found to exceed this requirement.
- #15 Foundation and / or footing that may cross beyond the boundary lines of the parcel herein described are not shown hereon.
- #16 not valid without the signature and original seal of a Florida Licensed Surveyor and Mapper. additions or deletions to survey maps or reports by other than the signing party or parties.
- #17 Contact the appropriate authority prior to any design work on the herein described parcel for building and zoning information.
- #18 Underground Utilities are not depicted hereon, contact the appropriate authority prior to any design work or construction on the property herein described. Surveyor shall be notified as to any deviation from utilities shown hereon.
- #19 Ownership subject to Opinion of Title.

This certifies that the survey of the property described hereon was made under my supervision & that the survey meets the Standards of Practice set forth by the Florida Board of Professional Land Surveyors & Mappers in Chapter 51-17.052 of Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
& That the Sketch hereon is a true and accurate representation thereof to the best of my knowledge and Belief, subject to notes and notations shown hereon.

Armando F. Alvarez
Professional Surveyor & Mapper #5526
State of Florida
Not Valid unless Signed & Stamped with Embossed Seal

JOB #	19-239
DATE	03-04-2019
PB	68-81